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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Records Governing Off-the-Record Communications

### Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a

part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e) (1) (v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped chronologically, in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the **eLibrary** link. Enter the docket number,

excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866)208-3676, or for TTY, contact (202)502-8659.

Prohibited:

<u>Docket No.</u>	<u>Filed Date</u>	<u>Presenter or Requester</u>
1. CP13-83-000	05-3-13	Susan Thornton, Ph.D. <sup>1</sup>
2. CP11-515-000	05-14-13	Janice & Kevin OKeeffe

Exempt:

<u>Docket No.</u>	<u>Filed Date</u>	<u>Presenter or Requester</u>
1. CP13-73-000	05-6-13	FERC Staff <sup>2</sup>
CP13-74-000		

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<sup>1</sup> Susan Thornton, Ph.D. submitted two letters on two different dates, to the Commission under this docket: May 3, and May 13, 2013.

<sup>2</sup> FERC staff attended a meeting in Tucson, Arizona.

2. P-2216-000	05-16-13	Hon. Brian Higgins
3. CP07-52-000	05-20-13	Ambassador Gary Doer
4. P-12790-000	05-23-13	FERC Staff <sup>3</sup>
5. CP13-8-000	05-28-13	Hon. Barry Glassman

Dated: May 28, 2013

Nathaniel J. Davis, Sr.,

Deputy Secretary.

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<sup>3</sup> Email record.